

Project Name (Subdivision):

Creason Pathway Easement, Waterbury Park Sub

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this __ day of __, 20_21, between Waterbury Park HOA, hereinafter referred to as "Grantor", and the City of Meridian, an Idaho municipal corporation, hereinafter referred to as "Grantee";

WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian desires to establish a public pathway; and

WHEREAS, the Grantor desires to grant an easement to establish a public pathway and provide connectivity to present and future portions of the pathway; and

WHEREAS, Grantor shall construct the pathway improvements upon the easement described herein; and

NOW, THEREFORE, the parties agree as follows:

THE GRANTOR does hereby grant unto the Grantee an easement on the following property, described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein.

THE EASEMENT hereby granted is for the purpose of providing a public pedestrian pathway easement for multiple-use non-motorized recreation, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever.

THE GRANTOR hereby covenants and agrees that it will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that the Grantor shall repair and maintain the pathway improvements.

THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street,

then, to such extent such easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

THE GRANTOR does hereby covenant with the Grantee that it is lawfully seized and possessed of the aforementioned and described tract of land, and that it has a good and lawful right to convey said easement, and that it will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR:

Karen Carlyle

Karen Carlyle, President/Waterbury Park HOA

Carlyle

STATE OF IDAHO)

) ss

County of Ada)

This record was acknowledged before me on 4th (date) by AUGUST
(name of individual), [complete the following if signing in a representative capacity, or strike
the following if signing in an individual capacity] on behalf of Waterbury Park HOA
(name of entity on behalf of whom record was executed), in the following representative
capacity: President (type of authority such as officer or trustee)

(stamp)



[Signature]

Notary Signature

My Commission Expires: 10/22/24

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on _____ (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature

My Commission Expires:_____

EXHIBIT A

Legal Description

A blanket easement over portions of four (4) common lots in the Waterbury Park Subdivision, as necessary to create a contiguous pathway, consisting of:

- The common area legally described as all of Lot 36, Block 1, Waterbury Park Subdivision No. 5 as depicted on the Plat recorded in Book 73, Pages 7507 through 7508 in the office of the Recorder, Ada County Idaho.
- The common area legally described as all of Lot 19, Block 7, Waterbury Park Subdivision No. 5 as depicted on the Plat recorded in Book 73, Pages 7507 through 7508 in the office of the Recorder, Ada County Idaho.
- The common area legally described as all of Lot 18, Block 7, Waterbury Park Subdivision No. 4 as depicted on the Plat recorded in Book 66, Pages 6862 through 6863 in the office of the Recorder, Ada County Idaho.
- The common area legally described as all of Lot 30, Block 1, Waterbury Park Subdivision No. 4 as depicted on the Plat recorded in Book 66, Pages 6862 through 6863 in the office of the Recorder, Ada County Idaho.

WATERBURY PARK SUBDIVISION NO. 5

PORTIONS OF THE E1/2 SE1/4 NW1/4, AND THE W1/2 SW1/4
NE 1/4 OF SECTION 1, T.3N., R.1W., B.M.,
MERIDIAN, ADA COUNTY, IDAHO
1995

• HUBBLE ENGINEERING, INC. •
BOISE, IDAHO

EXHIBIT B-1, Waterbury Park No. 5

DEVELOPER:
CAPITAL DEVELOPMENT, INC.
BOISE, IDAHO
94-034

SHEET 1 OF 2

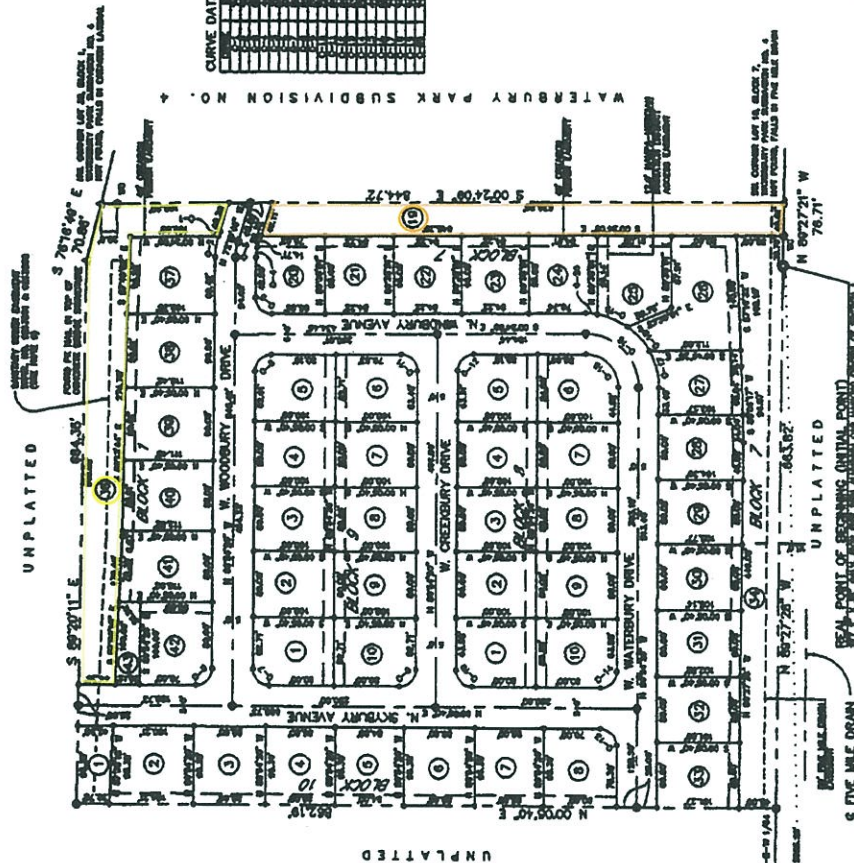
2 30
1 20
T.M., R.1W., B.M.,
T.M., R.1W., B.M.,

LEGEND

- FOUND BRASS CAP
- SET 5/8" X 3/4" IRON PIN WITH PLASTER CAP
- SET 1/2" X 3/4" IRON PIN WITH PLASTER CAP
- FOUND 1/2" IRON PIN, PLUS SIGN
- CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- PUBLIC UTILITY, IMPROVEMENT AND PROPOSED IMPROVEMENTS TO THE PROPERTY LINE AND ON LOT LINE
- LOT LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- LOT NUMBER
- STREET CORNER

NOTES:

1. OWNER HAS REVIEWED THIS PLAN TO THE APPLICABLE ZONING REGULATIONS.
2. ALL LOT LINES SHOWN ARE BASED ON A PERMANENT MONUMENTARY CORNER AT THE INTERSECTION OF THE SECTION LINE AND THE RIGHT-OF-WAY LINE. THE CORNER IS A 12" X 12" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE SECTION LINE AND THE RIGHT-OF-WAY LINE.
3. THE SECTION LINE IS A 1/2" X 3/4" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE SECTION LINE AND THE RIGHT-OF-WAY LINE.
4. THE RIGHT-OF-WAY LINE IS A 1/2" X 3/4" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE RIGHT-OF-WAY LINE AND THE SECTION LINE.
5. THE LOT LINES ARE BASED ON A PERMANENT MONUMENTARY CORNER AT THE INTERSECTION OF THE SECTION LINE AND THE RIGHT-OF-WAY LINE. THE CORNER IS A 12" X 12" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE SECTION LINE AND THE RIGHT-OF-WAY LINE.
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19. THE RIGHT-OF-WAY LINE IS A 1/2" X 3/4" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE RIGHT-OF-WAY LINE AND THE SECTION LINE.
20. THE LOT LINES ARE BASED ON A PERMANENT MONUMENTARY CORNER AT THE INTERSECTION OF THE SECTION LINE AND THE RIGHT-OF-WAY LINE. THE CORNER IS A 12" X 12" IRON PIN SET IN A CONCRETE PAD. THE CORNER IS THE POINT OF BEGINNING FOR THE SECTION LINE AND THE RIGHT-OF-WAY LINE.



66 6802

WATERBURY PARK SUBDIVISION NO. 4

A PORTION OF THE N 1/2 OF SECTION 1, T. 3 N., R. 1 W., BOISE MERIDIAN

MERIDIAN CITY, ADA COUNTY, IDAHO

A CAPITAL DEVELOPMENT CORP. SUBDIVISION

—JOHNSON ENGINEERING 1994—

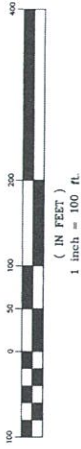
BOISE, IDAHO

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	115.00'	31.75'	31.75'	31.75'	S14°22'26"W	25°45'10"
C2	65.00'	101.03'	62.17'	62.17'	S44°55'45"E	89°03'12"
C3	40.00'	20.77'	20.77'	20.77'	S14°22'26"W	25°45'10"
C4	40.00'	20.77'	20.77'	20.77'	S14°22'26"W	25°45'10"
C5	40.00'	20.77'	20.77'	20.77'	S14°22'26"W	25°45'10"
C6	40.00'	20.77'	20.77'	20.77'	S14°22'26"W	25°45'10"
C7	40.00'	20.77'	20.77'	20.77'	S14°22'26"W	25°45'10"
C8	20.00'	35.07'	24.04'	30.75'	N21°55'30"W	107°28'32"
C9	325.00'	47.20'	47.20'	47.20'	S76°20'24"E	08°19'18"
C10	275.00'	83.97'	42.21'	83.45'	S80°54'21"E	17°27'14"

LEGEND

- REAR OF LOT
- BOUNDARY LINE
- LOT OR RIGHT OF WAY LINE
- BUILDING SETBACK LINE
- UTILITY EASEMENT
- NEUTRAL POINT MONUMENT
- SET 1/4" = 10' WITH 5/8" PIN & PLASTIC CAP INSIDE
- 1/2" x 24" PIN SET WITH PLASTIC CAP (OR FOUND AS SHOWN)
- 5/8" x 30" PIN SET WITH PLASTIC CAP (OR FOUND AS SHOWN)
- LAND CORNER
- LOT NUMBER

GRAPHIC SCALE



MIN. HOUSE SIZES
10' x 10' FOR 1-2 BED
12' x 12' FOR 3-4 BED
BE 1,201 S.F. MINIMUM

H.S. XXXX

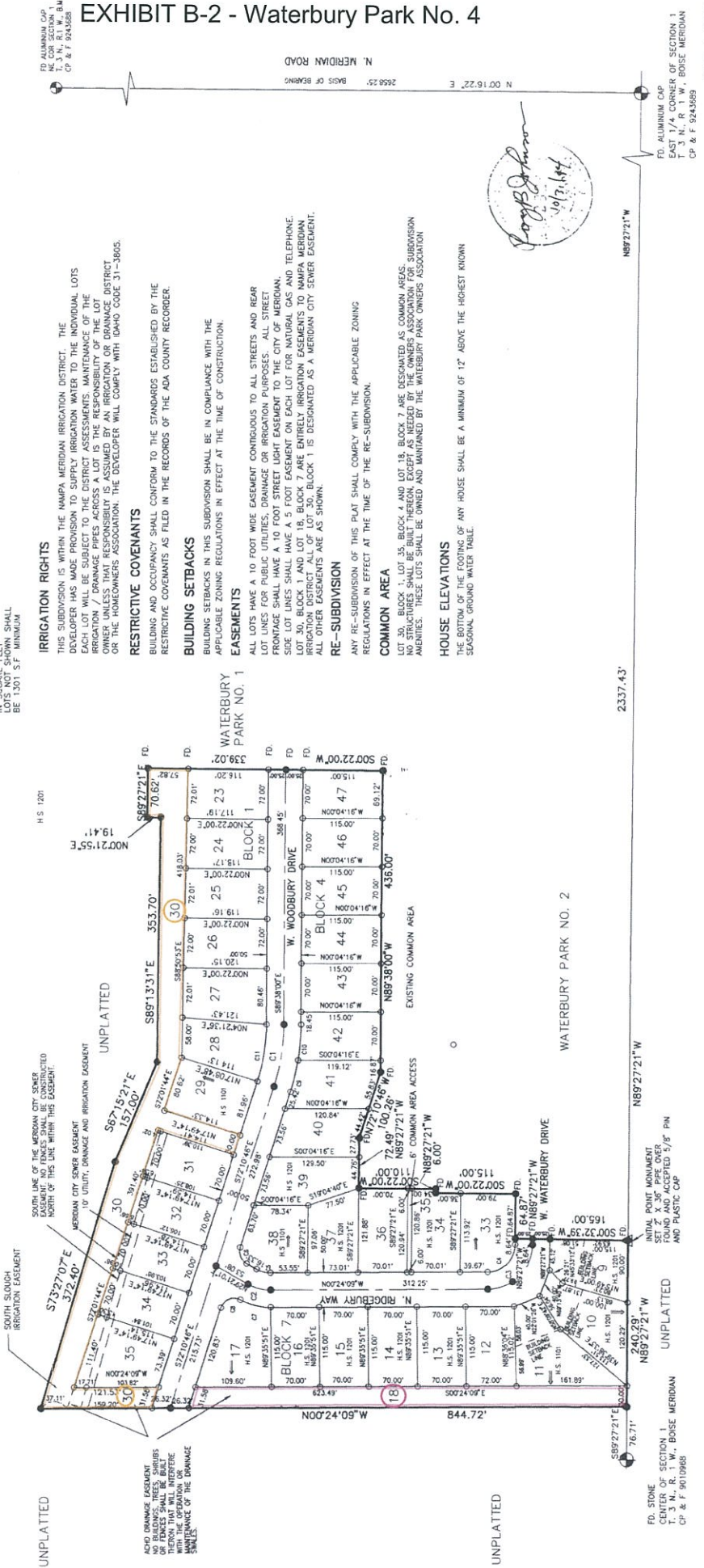


EXHIBIT B-2 - Waterbury Park No. 4

HOUSE ELEVATIONS
THE BOTTOM OF THE FOOTING OF ANY HOUSE SHALL BE A MINIMUM OF 12" ABOVE THE HIGHEST KNOWN SEASONAL GROUND WATER TABLE.

COMMON AREA

LOT 30, BLOCK 1, LOT 36, BLOCK 4 AND LOT 18, BLOCK 7 ARE DESIGNATED AS COMMON AREAS. THESE ARE TO BE MAINTAINED AND MANAGED BY THE WATERBURY PARK OWNERS ASSOCIATION. THESE LOTS SHALL BE OWNED AND MAINTAINED BY THE WATERBURY PARK OWNERS ASSOCIATION.

RE-SUBDIVISION

ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.

EASEMENTS

ALL LOTS HAVE A 10 FOOT WIDE EASEMENT CONTIGUOUS TO ALL STREETS AND REAR LOT LINES FOR PUBLIC UTILITIES, DRAINAGE OR IRRIGATION PURPOSES. ALL STREET FRONTAGE SHALL HAVE A 10 FOOT STREET LIGHT EASEMENT TO THE CITY OF MERIDIAN. SIDE LOT LINES SHALL HAVE A 5 FOOT EASEMENT ON EACH LOT FOR NATURAL GAS AND TELEPHONE. LOT 30, BLOCK 1 AND LOT 18, BLOCK 7 ARE ENTIRELY IRRIGATION EASEMENTS TO NAMPA MERIDIAN IRRIGATION DISTRICT. ALL OF LOT 30, BLOCK 1 IS DESIGNATED AS A MERIDIAN CITY SEWER EASEMENT. ALL OTHER EASEMENTS ARE AS SHOWN.

BUILDING SETBACKS

BUILDING SETBACKS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF CONSTRUCTION.

RESTRICTIVE COVENANTS

BUILDING AND OCCUPANCY SHALL CONFORM TO THE STANDARDS ESTABLISHED BY THE RESTRICTIVE COVENANTS AS FILED IN THE RECORDS OF THE ADA COUNTY RECORDER.

IRRIGATION RIGHTS

THIS SUBDIVISION IS WITHIN THE NAMPA MERIDIAN IRRIGATION DISTRICT. THE DEVELOPER HAS MADE PROVISION TO SUPPORT THE IRRIGATION RIGHTS OF THE INDIVIDUAL LOTS. EACH LOT WILL BE SUBJECT TO THE DISTRICT ASSESSMENTS, MAINTENANCE OF THE IRRIGATION / DRAINAGE PIPES ACROSS A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS THAT RESPONSIBILITY IS ASSUMED BY AN IRRIGATION OR DRAINAGE DISTRICT OR THE HOMEOWNERS ASSOCIATION. THE DEVELOPER WILL COMPLY WITH IDAHO CODE 31-3805.

FD. STONE
CENTER OF SECTION 1,
T. 3 N., R. 1 W., BOISE MERIDIAN
CP & F 9010968

2337.43'

N89°27'21"W

FD. ALUMINUM CAP
EAST 1/4 CORNER OF SECTION 1,
T. 3 N., R. 1 W., BOISE MERIDIAN
CP & F 9243585